

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARLOS HARRIS,)	
)	Civil Action No. 07 - 216
Plaintiff,)	
)	Judge Joy Flowers Conti
v.)	
)	
OFFICER MICHAEL REDDY,)	
Pittsburgh Police Department;)	
OFFICER SEAN RATTIGAN,)	
Pittsburgh Police Department;)	
OFFICER ROBERT PIRES,)	
Pittsburgh Police Department;)	
OFFICER JOHN SEZENSKY,)	
Pittsburgh Police Department;)	
OFFICER BURFORD, Pittsburgh)	
Police Department and)	
PITTSBURGH POLICE DEPARTMENT,)	
Zone 5)	

Defendants.

MEMORANDUM ORDER

The above captioned case was initiated on February 20, 2007 by the filing of a Motion to Proceed *In Forma Pauperis* accompanied by a civil rights Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Defendants filed a Motion to Dismiss the Complaint on May 22, 2007 (doc. no. 8). The Magistrate Judge filed a Report and

Recommendation on November 23, 2007 recommending that the Motion to Dismiss be denied (doc. no. 19). No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 18th day of December, 2007;

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (doc. no. 8) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 19) of Magistrate Judge Lenihan dated November 23 2007, is adopted as the Opinion of the Court.

By the Court:

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Carlos Harris, EW5113
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